

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF LOUISIANA

SHREVEPORT DIVISION

LEROY BROWN

CIVIL ACTION NO. 09-1477-P

VERSUS

JUDGE WALTER

JAMES LEBLANC, ET AL.

MAGISTRATE JUDGE HORNSBY

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, and noting the lack of written objections filed by Plaintiff and determining that the findings are correct under the applicable law;

IT IS ORDERED the following claims be **DISMISSED WITH PREJUDICE** as frivolous under 28 U.S.C. § 1915(e): Claim #1 - retaliation and equal protection; Claims #2 and #5 - administrative remedy procedure, false disciplinary reports, retaliation, and equal protection; Claim #3 - false disciplinary reports, retaliation, discrimination, and property; Claim #4 - due process; Claim #7 - administrative remedy procedure; Claim #8 - inmate attack; Claim #9 - prescribed and false disciplinary report; Claim #10 - equal protection and due process; Claim # 11 - Property; and Claims Against Inmate Defendants Randall Basko, Shannon Stewart, Johnnie Johnson, Edward Timmons, Jimmy Peck, Leon Horne, Frederick Harris, Terrance Prudhome and Kerry Waskom. **IT IS FURTHER ORDERED** that Plaintiff's remaining Claims #2 and #5 and Claim #3 be **DISMISSED WITH PREJUDICE**

as frivolous pursuant to Section 1915(e) until such time as the Heck conditions are met. **IT IS FURTHER ORDERED** that Claim #1 - misprision of felony and Claim #6 - equal protection rights of employees be dismissed without prejudice for lack of standing.

Plaintiff's Claim #6 regarding the violation of his constitutional rights and Claims #12 remain pending at this time.

THUS DONE AND SIGNED, in chambers, in Shreveport, Louisiana, on this 9 day of May 2013.



DONALD E. WALTER

UNITED STATES DISTRICT JUDGE